

Serial No. 09/643,507

- 1 -



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Bruce CARLIN ) Confirmation No.: 4479  
Serial No.: 10/081,841 ) Group Art Unit: 2179  
Filed: February 20, 2002 ) Examiner: Theriault, Steven

For: **NETWORK-LINKED INTERACTIVE THREE-DIMENSIONAL COMPOSITION AND  
DISPLAY OF SALEABLE OBJECTS IN SITU IN VIEWER-SELECTED SCENES FOR  
PURPOSES OF OBJECT PROMOTION AND PROCUREMENT, AND GENERATION OF  
OBJECT ADVERTISEMENTS**

Atty's Docket No.: CAR 0002CIP )

San Diego, California

January 25, 2006

**RESPONSE TO NOTICE REQUIRING EXCESS FEES**

Box Amendment - Patents

Commissioner of Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

In investigating the progress of this application, Applicants undersigned representative finds at the public PAIR system of the PTO that the attached NOTICE REQUIRING EXCESS FEES in the matter of the above-identified application was mailed by the PTO on 09/21/2005. It was not received.

The fee requested was that that should have been submitted to the PTO in accompaniment to Applicant's AMENDMENT of 8/29/06 timely filed. This added fee is in coverage of two (2) total claims in excess of the twenty (20) previously paid for, and of two (2) independent claims in excess of the six (6) previously paid for, at the time of application filing.

01/31/2006 FRETEN 00000027 10061841

200.00 OP  
50.00 OP

01 FC:2201  
02 FC:2202

In accordance with (1) the policy stated in the penultimate paragraph of the NOTICE, and (2) the new fee schedule of January 1, 2006, the fee now believed owed is (2 x \$25) + (2 x \$100), or \$250.

A check in the amount of \$250 is enclosed.

Applicants' undersigned attorney is at the Examiner's disposal should the Examiner wish to discuss any matter which might expedite prosecution of this case. Please note Applicant's recently revised e-mail address below.

Sincerely yours,

*William C. Fuess*

William C. Fuess  
Registration Number 30,054

William C. Fuess  
FUESS & DAVIDENAS  
Attorneys at Law  
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Suite II-G  
San Diego, California 92121-1613  
Telephone: (858) 453-3574 after 2:00 P.M. P.S.T.  
Facsimile: (858) 453-3574 before 2:00 P.M. P.S.T.  
E-mail: wfuess@gmail.com

[X] Attorney of Record  
[ ] Filed Under 37 CFR §1.34(a)

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CERTIFICATION UNDER 37 CFR 1.10

I hereby certify that this AMENDMENT and the documents referred to as attached therein are being deposited with the United States Postal Service in an envelope addressed to: Mail Stop Amendments - Patent, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date written below.

January 25, 2006  
Date

William C. Fuess  
Typed Name of Person  
Mailing Correspondence

*William C. Fuess*  
Signature of Person Mailing  
Correspondence



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.

10/081,841

FILING DATE

09/21/2005

FIRST NAMED INVENTOR

Bruce Carlin

ATTORNEY DOCKET NO.

CAR 0002CIP

CONFIRMATION NO.

4479

William C. Fuess

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San Diego, CA 92121-1613

EXAMINER

THERIAULT, STEVEN D

ART UNIT

PAPER NUMBER

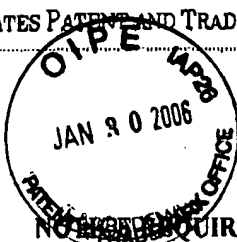
2179

DATE MAILED: 09/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



## UNITED STATES PATENT AND TRADEMARK OFFICE



COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
P.O. BOX 1480  
ALEXANDRIA, VA 22313-1480  
[www.uspto.gov](http://www.uspto.gov)

## NOTICE REQUIRING EXCESS CLAIMS FEES

The excess claim(s) filed on 8-29-05 is not accompanied by the appropriate payment of excess claims fees set forth in 37 CFR 1.16(h)-(j) or 1.492(d)-(f). Excess claims fees are required for each claim in independent form in excess of three (§ 1.16(h)), each claim (whether dependent or independent) in excess of twenty (note that § 1.75(c) indicates how multiple dependent claims are considered for fee calculation purposes) (§ 1.16(i)), and each application that contains a multiple dependent claim (§ 1.16(j)).

Since the application is not under a final rejection, applicant is given a time period of **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, to submit either: (1) the fee payment of \$ 238.00, or (2) an amendment in compliance with 37 CFR 1.121 that cancels the excess claim(s), in order to avoid ABANDONMENT. Extensions of this time period may be granted under 37 CFR 1.136, unless the excess claim(s) was presented in a preliminary amendment.

- ☐ 1. The funds in Deposit Account No. \_\_\_\_\_ are insufficient to cover the entire fee due. The balance is due within the time period set forth in this notice. See note below regarding the appropriate service charge.
- ☐ 2. The Credit Card payment to cover the entire fee due to Account \_\_\_\_\_ (Card type + last 4 digits ONLY) was refused. The balance is due within the time period set forth in this notice. See note below regarding the appropriate service charge.
- ☒ 3. The amendment that includes the excess claim(s) has not been entered, since applicant has failed to remit (or authorize charge to a Deposit Account or Credit Card) the fee as indicated on the attached Patent Application Fee Determination Record (PTO/SB/06). Remittance or authorization is due within the time period set forth in this notice.
- ☒ 4. The fee submitted in this application is insufficient. A balance of \$ 238.00 is due for presentation of excess claims (37 CFR 1.16(h)-(j) or 1.492(d)-(f)).
- ☐ 5. Other.

Explanation (Provide specific details of the required correction in order to assist the applicant. Indicate whether a service charge has been added to the fee due):

Paid \$18.00 for Claims in excess of 20 Fee due \$82.00

Paid \$44.00 for independent claims in excess of 3 Fee due \$156.00

THE AMOUNT OF THE FEE(S) DUE IS SUBJECT TO CHANGE, GENERALLY ON OCTOBER 1 OF EACH YEAR (37 CFR 1.16, 1.21 & 1.492). THE AMOUNT OF THE FEE(S) DUE IS DETERMINED AS OF THE DATE A COMPLETE REPLY WITH THE APPROPRIATE FEE(S) IS RECEIVED BY THE OFFICE (37 CFR 1.8 & 1.10). BECAUSE THE AMOUNT DUE IS SUBJECT TO CHANGE, IT IS RECOMMENDED THAT APPLICANT CHECK THE CURRENT FEE SCHEDULE WHICH IS AVAILABLE ON THE USPTO'S WEBSITE AT: <http://www.uspto.gov/web/offices/ac/qs/ope/fees.htm>

Service Charges: There is a \$50 service charge for processing each payment refused (including a check returned "unpaid") or charged back by a financial institution (37 CFR 1.21(m)). There is a \$25.00 service charge for each month when the balance of a deposit account is below \$1000 at the end of the month (37 CFR 1.21(b)(2)).

Kelley Harris (571) 272- 2582  
Technical Support Staff (TSS)

Note to TSS: Please do NOT use this notice if the application is under a final rejection.